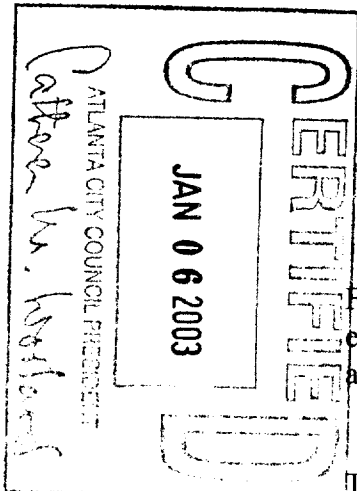


Entered -10-18-02 - sb
CL 02L0746 - GWENDOLYN BURNS

CLAIM OF:

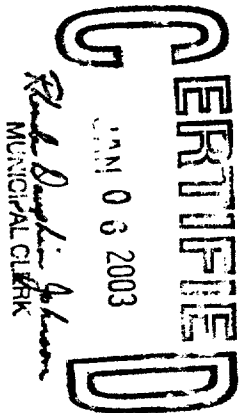
TIM LIAO
through his attorney,
Paula J. McGill, Esq.
The McGill Law Firm, LLC
400 Galleria Parkway
Suite 1500
Atlanta, Georgia 30339

02-R-2142



For damages alleged to have been sustained as a result of a
excessive use of force incident by Atlanta Police on April 22, 2002
at East Paces Ferry Road & North Druid Hills.

THIS ADVERSED REPORT IS
APPROVED



BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSED BY
CITY COUNCIL JAN 06 2003

ADVERSE REPORT

COMM: _____
DATE: _____
CHAIR: _____
_____ *Ch. T. [unclear]* _____
_____ *H. L. [unclear]* _____



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

January 15, 2003

Paula J. McGill, Esq.
The McGill Law Firm, LLC
400 Galleria parkway
Suite 1500
Atlanta, Georgia 30339

02-R-2142

RE: Tim Liao

Dear Attorney McGill:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on January 03, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0746

Date: November 25, 2002

Claimant /Victim TIM LIAO
BY: (Atty) (Ins. Co.) Paula J. McGill, Esq., The McGill Law Firm
Address: 400 Galleria Parkway, Suite 1500, Atlanta, Georgia 30339
Subrogation: Claim for damage \$ Bodily Injury \$ 25,000.00
Date of Notice: 10/17/02 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 4/22/02 Place: East Paces Ferry Road & North Druid Hills Road
Department POLICE Division
Employee involved A.T. Kirkman, Chad Armstrong, T.L. Padgett Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that he sustained bodily injuries when excessive force was used by the above-named police officers. However, a municipal corporation shall not be liable for the torts of policemen or other officers engaged in the discharge of the duties imposed on them by law as set forth in O.C.G.A. §36-33-3.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other X
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

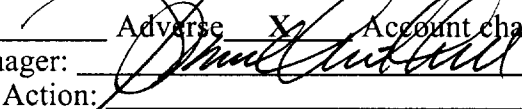
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2P01 2H01
Claims Manager:  Concur/date 11-29-02
Committee Action: Council Action

RCS# 4344
1/06/03
2:10 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-7; Except 02-O-1853; 02-R-1770
02-R-2007; 02-R-2056
ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	NV Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

CONSENT I

1/06/03 Council Meeting

**ITEMS ADOPTED ON CONSENT
AGENDA**

1. 02-O-2008
2. 02-O-2071
3. 02-O-2175
4. 02-O-2170
5. 02-O-2171
6. 02-O-2024
7. 02-O-2172
8. 02-R-2130
9. 02-R-2157
10. 02-R-2158
11. 02-R-2159
12. 02-R-2186
13. 02-R-1964
14. 02-R-1965
15. 02-R-2067
16. 02-R-2134
17. 02-R-2135
18. 02-R-2136
19. 02-R-2137
20. 02-R-2138
21. 02-R-2139
22. 02-R-2140
23. 02-R-2141

**ITEMS ADVERSED ON CONSENT
AGENDA**

24. 02-R-2142
25. 02-R-2143
26. 02-R-2144
27. 02-R-2145
28. 02-R-2146
29. 02-R-2147
30. 02-R-2148
31. 02-R-2149
32. 02-R-2150
33. 02-R-2151
34. 02-R-2152
35. 02-R-2153
36. 02-R-2154
37. 02-R-2155
38. 02-R-2156

Consent I Vote: 11 Yeas; 0 Nays (See RCS #4344)

Items Removed from the Consent Agenda: 02-O-1853; 02-R-1770; 02-R-2007; 02-R-2056